

Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 OIC-04 AF-10 ARA-16 EA-11 NEA-10

RSC-01 ACDA-19 CIAE-00 DODE-00 PM-07 INR-10 L-03

NSAE-00 NASA-04 NSC-10 SCI-06 SS-20 PA-04 PRS-01

USIA-15 DRC-01 CCO-00 OTPE-00 EB-11 FCC-03 OC-06

COME-00 /212 W

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P R 011801Z DEC 73

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC PRIORITY 1696

INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 1 OF 2 USUN 5298

E.O. 11652: GDS

TAGS: TSPA, PFOR, UN, UR

SUBJECT: OUTER SPACE - AUSTRIAN DRAFT RESOLUTION

1. SUMMARY: OUTER SPACE COMMITTEE MEMBERS MET AGAIN PM
30 NOV. AT AUSTRIAN MISSION IN EFFORT WORK OUT
RESOLUTION ON OSC REPORT THAT ALL OSC MEMBERS COULD COSPONSOR.
US AND USSR DELS HAD UNPRODUCTIVE BILATERAL ON DIRECT
BROADCAST SATELLITE QUESTION THAT ENDED ONLY AT 10 PM.

2. DETAILS. WITH REGARD TO PREAMBULAR REFERENCES TO PRACTI-
CAL APPLICATIONS OF SPACE TECHNOLOGY AND FACT THAT SEVERAL
SUGGESTIONS FOR ENLARGING OSC WERE MADE AT LAST OSC SESSION,
US PRESSED FOR AND OBTAINED AGREEMENT ON "ALTERNATIVE II" PER
USUN'S 5217, PARA NUMBERED 1, IN ACCORDANCE TELCON WITH BLACK,
IO/UNP. THIS WAS AGREED, EXCEPT FOR SOVIET REP SMIRNOV,
WHO CAME LATE TO MTG AND FOR THE MOMENT RESERVED SOVIET
POSITION. ON RELATED SUBJECT OF ENLARGEMENT, ARGENTINA
REPORTED (FAVORABLY) ON ASSERTED INDONESIAN DESIRE THAT,
IF THE GA DID NOT IMMEDIATELY EXPAND THE OSC, THE GA
SHOULD AT CURRENT SESSION TAKE A DECISION FAVORING EXPAN-
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SION IN PRINCIPLE AND MERELY ASK THAT THE OSC WORK OUT
SPECIFIC PROPOSALS. WHEN US OPPOSED, ARGENTINA EXPLAINED
ITS CONCERN HAD BEEN AROUSED BY SOVIETS WHO, AT OSC SESSION
PAST SUMMER, HAD SOUGHT TO ARGUE THAT OS ENLARGEMENT WAS

MATTER WITHIN UNGA'S JURISDICTION AND OSC SHOULD DO NOTHING, AND WHO WERE CURRENTLY CONTENDING THAT OSC SHOULD STUDY THE MATTER BEFORE GA TAKES ANY ACTION. ARGENTINE REP REBAGLIATI EXPRESSED CONCERN THAT OSC ENLARGEMENT STUDY IN MID-SUMMER 1974 WOULD REQUIRE SPADEWORK BY OSC CHAIRMAN JANKOWTISCH AND THAT, IF LANGUAGE COULD BE INCLUDED GIVING A MANDATE TO THE CHAIRMAN AND THUS ENSURING OSC WOULD BE IN POSITION TO REACH CONCLUSIONS NEXT SUMMER, ARGENTINA WOULD NOT RAISE FURTHER DIFFICULTIES. FRANCE PROPOSED, AND OTHERS ACCEPTED, FOLLOWING REVISION OF WHAT IS NOW PARA 26 (THE ONLY OPERATIVE PARA RELATING TO ENLARGEMENT): "REQUESTS THE OSC TO UNDERTAKE A STUDY AND FORMULATE CONCRETE PROPOSALS CONCERNING THE ENLARGEMENT OF THE MEMBERSHIP OF THE COMMITTEE, TAKING INTO ACCOUNT THE RESULTS OF APPROPRIATE CONSULTATIONS HELD BY ITS CHAIRMAN, AND REPORT TO THE GA AT ITS 29TH SESSION".

(COMMENT: THIS PARALLELS FORMER PARA NUMBERED 23, USUN'S 5007). SOV DEL RESERVED BUT WILL, WE EXPECT, ACCEPT AT FINAL OSC MEETING AM 3 DEC. IN THIS CONNECTION AND BECAUSE OF UNEXPLAINED SOVIET PRICKLINESS, AUSTRIANS STATED THEY WILL TABLE THE OMNIBUS RESOLUTION MID-DAY 3 DEC. IN NAME OF THOSE OSC MEMBERS WHO ARE THEN READY TO COSPONSOR. WE BELIEVE THEY ARE LIKELY TO DO SO.

3. DELS THEN TURNED TO DIRECT BROADCAST SATELLITE PARA 6 IN 5007; ALSO PARA 3 (6) OF USUN 5217). DESPITE APPEARANCE AT 29 NOV DISCUSSION THAT USSR WOULD BE ABLE TO ACCEPT PHRASE "THE QUESTION OF", SMIRNOV ALONE AMONG OSC MEMBERS AT 30 NOV. REFUSED TO ACCEPT AUSTRIAN DRAFT PARA (PER PARA 3(6) OF USUN 5217) READING "RECOMMENDS FURTHER THAT THE LEGAL SUBCOMMITTEE SHOULD CONSIDER AT ITS NEXT SESSION AS A MATTER OF HIGH PRIORITY THE QUESTION OF ELABORATING PRINCIPLES GOVERNING THE USE BY STATES OF ARTIFICIAL EARTH SATELLITES FOR DIRECT TELEVISION BROADCASTING WITH A VIEW TO CONCLUDING AN INTERNATIONAL AGREEMENT OR AGREEMENTS IN ACCORDANCE WITH RES 2916 (XXVII), TAKING DUE ACCOUNT OF THE INTERDISCIPLINARY CHARACTER OF THE SUBJECT AND OF THE WORK OF THE WORKING GROUP IN DIRECT BROADCAST SATELLITES."

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AUSTRIANS NOTED THIS TRACKS WITH LANGUAGE OF CURRENT OSC REPORT, WHICH HAD BEEN REACHED ONLY FOLLOWING LENGTHY NEGOTIATIONS AND TO WHICH ALL OSC MEMBERS HAD AGREED. MISOFF SAID AUSTRIAN STATEMENT WAS ACCURATE AND US COULD ACCEPT AUSTRIAN PROVISION. UK SUPPORTED US ON THE MERITS; BRAZIL SUPPORTED ON GROUND LANGUAGE NEGOTIATED IN OSC SHOULD NOT BE UPSET BY OSC MEMBERS SOME FEW MONTHS LATER.

4. GROUP THEN DISCUSSED EARTH RESOURCE SURVEYING ASPECTS AND ARGENTINE PROPOSAL ALONG LINES PARA 3(3), USUN 5217. US NOTED DIFFICULTY OF ACCEPTING ARGENTINE PROPOSAL WHICH APPEARS TO SET 1975 RPT 1975 OSC LEGAL SUBCOMMITTEE PRIORITIES FOR LEGAL AND ORGANIZATIONAL ASPECTS OF ERS.

SOVIETS SAID "AND ORGANIZATIONAL" SHOULD BE DELETED;
LEGAL SUBCOMMITTEE HAD NO BUSINESS LOOKING AT ORGANIZATIONAL
ASPECTS. UK PROPOSED DIVIDING ARGENTINE PROPOSAL INTO
TWO PARAS; (I) AN OPERATIVE PARA "RECOMMENDS ALSO THAT THE
LEGAL SUBCOMMITTEE AT ITS NEXT SESSION SHOULD RESPOND TO THE
WORKING GROUP ON REMOTE SENSING OF THE EARTH BY SATELLITES
FOR ITS VIEWS ON THE LEGAL IMPLICATIONS OF EARTH RESOURCES
SURVEY BY REMOTE SENSING SATELLITES, DEVOTING PART OF THAT
SESSION TO THIS PURPOSE", AND (II) AS A NEW PARA FOLLOWING
FORMER PARA 12 PER USUN 5007 "CONSIDERS THAT THE OSC AND ITS
APPROPRIATE SUBSIDIARY BODIES WILL HAVE TO GIVE FURTHER IN-
DEPTH CONSIDERATION TO THE LEGAL, ORGANIZATIONAL AND RELATED
ASPECTS OF REMOTE SENSING OF THE EARTH BY SATELLITES AT
THEIR RESPECTIVE SUBSEQUENT (I.E. POST-1974) SESSIONS".
(PURPOSE OF (II) IS TO INDICATE THAT ERS QUESTIONNAIRE
DOES NOT ALTER ERS ASPECTS OF LEGAL SUBCOMMITTEE'S LONG-
STANDING AGENDA.) THIS WAS AGREED, SOVIETS TEMPORARILY
RESERVING BECAUSE OF "AND ORGANIZATIONAL". MISOFF THEN RAISED
SWEDISH PROPOSAL PER PARA 2(C) OF USUN 5252 AND, PER TELCON
WITH DEPT., SAID WE COULD NOT ACCEPT REQUESTING THE UN "TO
PREPARE THE APPROPRIATE MEASURES AND TO DEVISE THE PROPER
LEGAL AND ORGANIZATIONAL FRAMEWORK FOR THE CONDUCT OF EARTH
RESOURCE SATELLITE ACTIVITIES" BECAUSE OF IMPLICATIONS THAT
ERS ACTIVITIES MIGHT REQUIRE INTERNATIONAL COMMUNITY
CONSENT, THAT LEGAL AND ORGANIZATION FRAMEWORK MUST BE
IN UN, ETC. SOVIETS RAISED OTHER (HELPFUL) DIFFICULTIES WITH
SWEDISH TEXT. GROUP AGREED TO SIMPLE REVISION OF UNDERLYING
PARA 11, USUN 5007, SO THAT THE ERS QUESTIONNAIRE WOULD
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BE COMMENDED FOR PROMPT RESPONSE TO MEMBER STATES "WITH
A VIEW TO MAKING PROGRESS IN THIS IMPORTANT FIELD".

5. SOVIETS WITHDREW THEIR EARLIER OBJECTION TO PARA 14, USUN
5007, CONTAINING ENDORSEMENT OF UN SPACE APPLICATIONS PROGRAM
AND RECOMMENDING "THE CONTINUING DEVELOPMENT OF THE PROGRAM"
ON GROUND THIS WAS EXACT DUPLICATE OF LANGUAGE CONTAINED
IN 1973 GA RESOLUTION.

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ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 OIC-04 AF-10 ARA-16 EA-11 NEA-10

RSC-01 ACDA-19 CIAE-00 DODE-00 PM-07 INR-10 L-03

NSAE-00 NASA-04 NSC-10 SCI-06 SS-20 PA-04 PRS-01

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C O N F I D E N T I A L SECTION 2 OF 2 USUN 5298

6. SWEDISH LANGUAGE ASKING IMCO TO FURNISH OSC WITH A REPORT ON NEGOTIATIONS ON GLOBAL MARITIME SATELLITE COMMUNICATIONS SYSTEM (PARA 2(I), USUN 5252) WAS ACCEPTED EXCEPT BY SOVIETS WHO SAID THEY NEEDED TO STUDY.

7. AT END OF MEETING, US, CANADA, UK, FRANCE, SWEDEN, ITALY, BRAZIL AND JAPAN INDICATED THEY ARE PREPARED TO COSPONSOR WHEN RESOLUTION GIVEN TO SECRETARIAT 3 DEC. PROVIDED REMAINING POINTS ON DBS AND ENLARGEMENT SATISFACTORILY RESOLVED.

8. SMIRNOV AND ORDZHONIKIDZE OF SOV DEL SUBSEQUENTLY ASKED FOR AND HELD LENGTHY BILATERAL WITH MISOFF IN WHICH THEY SOUGHT TO JUSTIFY WHAT THEY DESCRIBED AS MOSCOW'S INABILITY TO ACCEPT INCLUSION OF "THE QUESTION OF" IN DBS PARA ASKING THAT THE LEGAL SUBCOMMITTEE CONSIDER "THE QUESTION OF ELABORATING PRINCIPLES FOR DIRECT TV BROADCASTING". MISOFF NOTED WE HAD BEEN HEARTENED BY WHAT APPEARED TO BE POSITIVE APPROACH TAKEN BY MOSCOW (USUN 5177) BUT NOW SEEMED TO BE TOLD THAT THE USSR WOULD CONTINUE TO INSIST THAT THE LANGUAGE OF THE 1972 UNGA DBS RESOLUTION, WHICH THE US HAD VOTED AGAINST, WOULD HAVE TO BE REFLECTED IN THE CURRENT AUSTRIAN TEXT; CONFIDENTIAL

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OBVIOUSLY US AGREEMENT TO, MUCH LESS CO-SPONSORSHIP OF, ANY SUCH DRAFT WOULD BE OUT OF THE QUESTION. MISOFF SUGGESTED THAT IF MOSCOW HAD IN FACT DECIDED THAT REITERATION OF EACH WORD OF LAST YEAR'S RESOLUTION WERE INDISPENSABLE, IT WOULD BE BETTER FOR SOVIETS TO RETURN TO IDEA OF A SEPARATE DBS RESOLUTION WITH USSR VOTING YES AND US VOTING NO.

9. SMIRNOV SAID HE WOULD, "AS FINAL GESTURE", AGREE TO "RE-COMMENDS FURTHER THAT THE LEGAL SUBCOMMITTEE SHOULD UNDERTAKE AT ITS NEXT SESSION AS A MATTER OF HIGH PRIORITY THE CONSIDERATION OF THE QUESTION OF THE ELABORATION OF PRINCIPLES GOVERNING THE USE BY STATES OF ARTIFICIAL EARTH SATELLITES FOR DIRECT TV BROADCASTING IN ACCORDANCE WITH RESOLUTION 2916 (XXVII); THUS THERE WOULD BE DELETED (A) "WITH A VIEW TO CONCLUDING AN INTERNATIONAL AGREEMENT OR AGREEMENTS" AND (B) THE TERMINAL PHRASE PROPOSED BY AUSTRIA "TAKING DUE ACCOUNT OF THE INTERDISCIPLINARY CHARACTER OF THE SUBJECT AND OF THE

WORKING GROUP ON DIRECT BROADCASTING SATELLITES".
MISOFF EXPRESSED CONFUSION AS TO WHY SOVIETS WOULD PROPOSE
DELETING (A), LANGUAGE THAT APPEARED IN RESOLUTION 2916;
AS TO (B), THE IDEAS IT CONTAINED WERE VALUABLE AND WE WOULD
WANT TO RETAIN THEM. SMIRNOV SAID HE WOULD COMMUNICATE THESE
VIEWS TO MOSCOW.

10. OSC DELS MEET FOR FINAL SESSION 9:15 AM 3 DEC. WE WILL
PERSIST IN FIRM LINE ON DBS. DIFFICULT TO PREDICT SOVIET
RESPONSE.
BENNETT

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